APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,826	12/07/2000	Natascha Kearsey	19111.0045	8609

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EXAMINER
RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
2175	

DATE MAILED: 10/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-15_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-15_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.
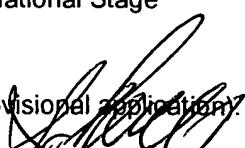
    **SAM RIMELL
PRIMARY EXAMINER**

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5)☐ Notice of Informal Patent Application (PTO-152)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _2_ .   6)☐ Other: .

Claims 3, 4, 6, 7, 8, 10, 12, 13, 14 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3: The phrases "complex folders" and "in-line views" are indefinite. It is not exactly clear what distinguishes a folder from a "complex folder" or a view from an "in-line view".

Claim 4: The phrase "one of an average, a sum, a standard deviation, and an evaluation of either a maximum or a minimum of data" is indefinite.

Claim 6: The phrase "data contained within a respective database table and/or an action to be taken" is indefinite.

Claims 7-8: The preambles of claims 7-8 are inconsistent with the preamble of claim 1. Since these claims appear to be dependent claims which attempt to further limit claim 1, they should have the same preamble as claim 1. These do not appear to be independent claims which incorporate claim 1 by reference.

Claim 10: The phrase "database processor comprises the processor" is indefinite and confusing. If applicant chooses to define different types of processors, then each type should be clearly delineated. Calling one of the processors "the processor" makes it unclear which processor is being discussed. Saying that a "processor comprises a processor" makes it unclear as to whether one or two separate processors exist.

Claim 12: The phrases "complex folders" and "in-line views" are indefinite. It is not exactly clear what distinguishes a folder from a "complex folder" or a view from an "in-line view".

Claim 13: The phrase "one of an average, a sum, a standard deviation, a maximum and a minimum evaluation of the data" is indefinite.

Claim 14: It is not clear whether "the processor" refers to the database processor or the query processor.

Claim 15: The phrase "data contained within a respective database table, and/or an action to be performed on data within the database" is indefinite.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-15 are, as best as can be understood, rejected under 35 U.S.C. 102(e) as being anticipated by Dalal ('999).

Claim 1: Col. 1, line 60 defines a query processor associated with a database. The database has a number of tables as seen in FIGS. 1-2. The query processor receives input from a user indicating what types of data are to be obtained. Using this data, a query is then generated (col. 2, lines 24-25) to cause the database to aggregate data within a given table, or aggregate

data within different tables. Once the query is generated, the aggregation step is performed and

data is aggregated to form a results table (FIG. 2).

Claim 2: As seen from the query in col. 2, lines 24-25, specific selected data (sales price)

are aggregated from an orders table (FIG. 1) to produce an aggregation of data (FIG. 2).

Claim 3: Any table within the database, or record within the table, reads as a "complex

folder". Any view of the data, such as a table, reads as an "in-line view".

Claim 4: The aggregation performed in FIGS 1-2 are based upon summation, but each of

the types of aggregation described in claim 4 are outlined at col .2, lines 9-11 of Dalal.

Claim 5: The query processor is part of a computer system (FIG. 3). The input device on

the computer system can be a storage device such as the hard drive (31) shown in FIG. 3, or a

keyboard for direct user input.

Claim 6: The query shown in col. 2, lines 24-25 is derived by the having the user select

items from a list of possible items to aggregate. The list of possible items are the columns shown

in FIG. 1. In the example, the user chose to aggregate the sales price, which is one of a list of

possible items to aggregate.

Claim 7: The query in col. 2, lines 24-25 is an SQL query (also see col. 2, line 20).

Claim 8: FIG. 11 illustrates an application of the query processor in which three different

tables are aggregated into a single table.

Claim 9: See remarks for claim 1. With respect to the claimed "database", FIG. 3 also

illustrates an exemplary computer system which includes a database system, database processors

(23, 24, 25) within the database system and a data store (31).

Clam 10: The database system includes the processors (23, 24, 25).

Claim 11: See remarks for claim 2.

Claim 12: See remarks for claim 3.

Claim 13: See remarks for claim 4.

Claim 14: See remarks for claim 5.

Claim 15: See remarks for claim 6.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.

Sam Rimell
Primary Examiner
Art Unit 2175